

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 19177 FOR WATER APPROPRIATION A-19304

WATER DIVISION 1-F

BACKGROUND

1. On October 14, 2014, Tyler Binder, on behalf of Binder Farms, Inc., filed in the Department of Natural Resources (Department) application A-19304 for a Permit to Appropriate Water.
2. On February 23, 2015, Tyler Binder, filed in the Department map number 19177 showing land proposed to be irrigated under application A-19304.

ORDER

IT IS HEREBY ORDERED:

1. Map number 19177 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-19304 as depicted on map number 19177 which is made a part of this Order.

Township 4 North, Range 12 East of the 6 th P.M. in Johnson County	Acres
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Section 31: NW $\frac{1}{4}$ NW $\frac{1}{4}$	2.2
SW $\frac{1}{4}$ NW $\frac{1}{4}$	13.5

Township 3 North, Range 12 East of the 6 th P.M. in Pawnee County	Acres
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Section 6: NE $\frac{1}{4}$ NE $\frac{1}{4}$	17.6
SW $\frac{1}{4}$ NE $\frac{1}{4}$	5.3
SE $\frac{1}{4}$ NE $\frac{1}{4}$	8.6

TOTAL	47.2
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3. Appropriation A-19304 has a priority date of October 14, 2014, and authorizes the appropriator the use of water for irrigation of the 47.2 acres of land described above. The water may be diverted from the North Fork of the Big Nemaha River at points of diversion located on both banks of the stream in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 6, Township 3 North, Range 12 East of the 6th P.M. in Pawnee County, as depicted on map number 19177. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum combined rate of 0.67 cfs from all points of diversion (301 gallons per minute).

4. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated nor the least amount of water necessary for the production of crops in the exercise of good husbandry. Therefore, in any year when less than the maximum permitted acres are being irrigated, the quantity of water diverted at any time may be restricted to 1/70 cfs for each permitted acre being irrigated that year. This appropriation of water under any circumstance shall be limited annually to 3 acre-feet per acre of land on which water is actually and beneficially applied; not to exceed the least amount of water necessary for the production of crops in the exercise of good husbandry.
5. The appropriator is bound by all terms and conditions of the approval of application A-19304.

DEPARTMENT OF NATURAL RESOURCES

April 29, 2015


James C. Schneider, Ph.D.
Acting Director

The applicant and any person with sufficient legal interest who has been or may be substantially affected by this order may request a contested case hearing in accordance with the *Neb. Admin. Procedures Act* §§ 84-901 et. seq. RRS and the Department's *Rules of Practice and Procedure Title 454 Admin. Code Chapter 7*. The request must be received by the Department at its Lincoln office (Nebraska State Office Building, 4th Floor, 301 Centennial Mall South, P.O. Box 94676, Lincoln, Nebraska 68509-4676) within 30 days of the date of the order and be accompanied by a filing fee of \$10.

A copy of this Order was posted on the Department's website. Copies of this Order and map number 19177 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order, map number 19177, and Surface Water Administration brochure were mailed on April 29, 2015, to the following:

Binder Farms, Inc.
c/o Steve Bindder
71098 660th Avenue
Rulo, Nebraska 68431

Tyler Binder
71387 624 Boulevard
Table Rock, Nebraska 68447